

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2018

CORAM

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.22752 of 2018

Prakash

.. Petitioner

Vs.

1.The State rep. by Inspector of Police,
W-18 All Women Police Station,
M.K.B.Nagar, Chennai - 21.

2.M.Janaki

.. Respondents

Criminal Original Petition filed under 482 of Criminal Procedure Code to call for the records pertaining to C.C.No.238 of 2017 on the file of the Additional Mahila Court, Allikulam, Chennai and quash the same.

For Petitioner : Mr.R.S.Kirubakaran

For Respondents : Ms.M.Prabhavathi,
Addl. Public Prosecutor for R1
Mr.N.Suresh for R2

ORDER

Seeking to quash the case in C.C.No.238 of 2017 pending before the Additional Mahila Court, Allikulam, Chennai, the present Criminal Original Petition has been filed.

2.Heard the learned counsel appearing for the petitioner, learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioner is the first accused in Crime No.946 of 2015 on the file of the first respondent police. The second respondent is the defacto complainant in the above said crime number. The FIR in Crime No.946 of 2015 was registered for the offences punishable under Sections 341, 294(b), 323 and 506(ii) I.P.C. and a charge sheet was laid in C.C.No.1746 of 2017 on

the file of the XV Metropolitan Magistrate, George Town, Chennai. The defacto complainant has also preferred a complaint against the petitioner in Crime No.5 of 2016 for the offence under Sections 498(A), 406 and 506(ii) IPC and a charge sheet was laid in C.C.No.238 of 2017 on the file of the Additional Mahila Court, Allikulam, Chennai.

4. It appears that the parties have agreed to settle the matter amicably and a Memorandum of Understanding is also filed to that effect. The petitioner and the second respondent appeared before this Court and expressed in unequivocal terms that they have compromised the matter and signed in the Memorandum of Understanding on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

5.The Memorandum of Understanding dated 11.09.2018 stands recorded and the Criminal Original Petition is disposed of in terms of the said Memorandum of Understanding. The proceedings in C.C.No.238 of 2017, on the file of the Additional Mahila Court (Magistrate level), Allikulam, Chennai, are quashed against the petitioner herein alone. The Memorandum of Understanding dated 11.09.2018 shall form part of the order.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Inspector of Police,
W-18 All Women Police Station,
M.K.B.Nagar, Chennai - 21.

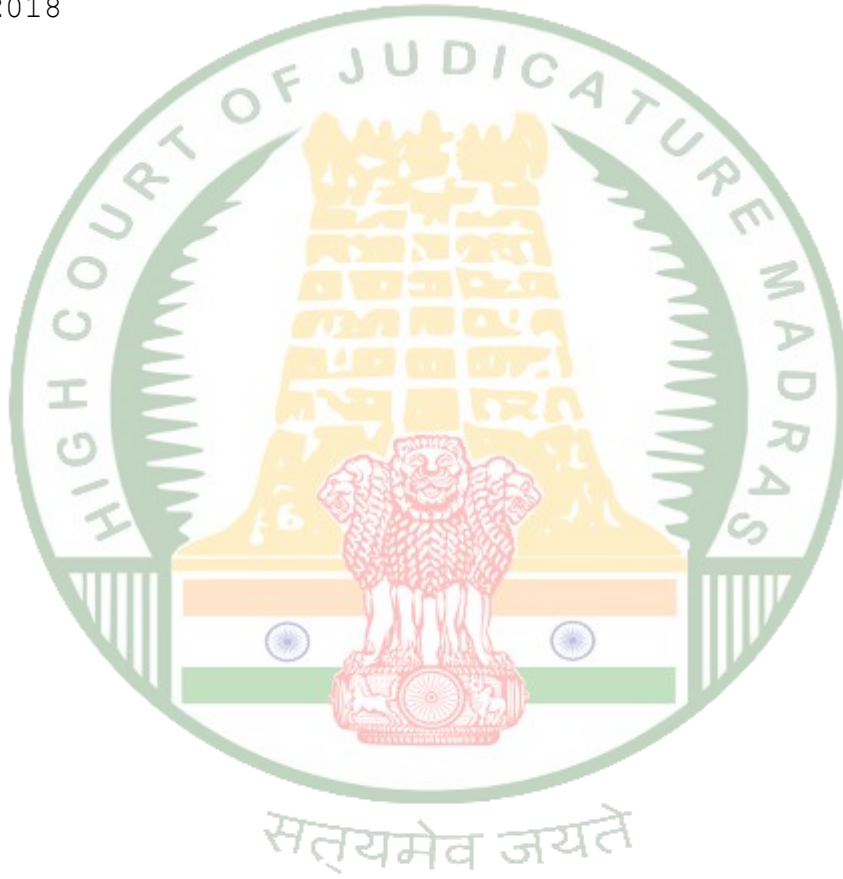
2.The Additional Mahila Court,
Allikulam, Chennai.

3.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.R.S.Kirubakaran, Advocate sr.no.66014
+2cc to M/s.N.Suresh, Advocate sr.no.66321

Crl.O.P.No.22752 of 2018

kan(co)
nr 29/10/2018



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